

REMARKS/ARGUMENTS

Claims 1-7 have been canceled, and new claims 8-13 have been added, so claims 8-13 are now pending.

Claims 1, 2, 3, 4 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Creighton reference (U.S. Patent No. 3,575,146) in view of the Kikuci reference (U.K. Patent No. 2193585). Claims 1-4 and 7 have been canceled. Therefore, this rejection is moot and should be withdrawn.

Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Creighton reference and the Kikuchi reference, and further in view of the Sekiguchi reference (U.S. Patent No. 5,188,084). Claims 5 and 6 have been canceled. Therefore, this rejection is moot and should be withdrawn.

Newly added independent Claim 8 recites:

A method for controlling operation of a fuel-injected internal combustion engine having at least a first injection phase and a second injection phase, the method comprising:

causing the start of a drive control for the second injection phase to take place a first predetermined time period after the end of a drive control for the first injection phase, **wherein the first time period is predetermined such that a fuel conveying start for the second injection phase takes place a respective second predetermined time period after the end of the drive control for the first injection phase.**

In the context of a fuel-injection operation such as the one recited in claim 8, it should be noted that: a) the end of the first (pilot) injection occurs essentially simultaneously with the triggering of the first injection; and b) between the beginning of the triggering of the main (second) injection and the actual main injection, a certain time delay exists (which will be referred to as "main injection delay" in this Amendment). In the present invention, this "main injection delay" is taken into consideration in achieving the desired interval between the end of the first (pilot) injection and the beginning of the second (main) injection, i.e., the interval between the *end of the first injection and the beginning of the triggering of the second injection* is specified as a function of the desired interval between the end of the first injection and the beginning of the second injection. In contrast to the invention of claim 8,

the Creighton, the Kikuchi, and the Sekiguchi references each fail to disclose, teach or suggest determining the time period between the end of triggering the pilot injection and the start of triggering of the main injection as a function of the above-mentioned “main injection delay.”

Since the Creighton, the Kikuchi, and the Sekiguchi references do not disclose each and every feature of Claims 8, these references do not anticipate or render obvious independent Claim 8 and dependent Claims 9-12.

Claim 13 recites features that are substantially similar to those recited in Claim 8. For at least the reasons stated above, the Creighton, the Kikuchi, and the Sekiguchi references do not anticipate or render obvious independent Claim 13.

Conclusion

In light of the foregoing, it is respectfully submitted that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

Kenyon & Kenyon

Date: 2/20/04

By: *Richard L. Mayer* (by
Richard L. Mayer
Reg. No. 22,490
Telephone: 212.425.7200
e. no. 36,197)

CUSTOMER NO. 26646